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October 25, 2010

**BY ECF FILING AND OVERNIGHT MAIL**

Honorable Joseph F. Bianco  
United States District Court  
100 Federal Plaza  
Central Islip, NY 11722

Re: *McAnaney, et al. v. Astoria Financial, Inc., et al.*  
Civil Action No. CV-04-1101 (JFB) (WDW)

Dear Judge Bianco:

I write as counsel for Plaintiffs and the certified Class in the referenced action, after having conferred with counsel for defendants. By this letter application, the parties jointly request that the Court-appointed settlement administrator, Rust Consulting, be granted an additional seven (7) days to mail the Court-approved Notice of Class Action and Settlement (the “notice”) and Proof of Claim and Release Form (the “claim form”).

On September 13, 2010, this Court entered an order granting preliminary approval to the parties’ settlement of the above-referenced class action. *See Docket No. 250*. That Order directed the settlement administrator to mail the Court-approved notice and claim form within thirty (30) business days from entry of that Order. *Id.* at ¶6. That deadline is Tuesday, October 26, 2010. Since entry of the Order granting preliminary approval, defendants and the undersigned have complied with all deadlines for the production of class lists and disputed fee data among one another and to Rust Consulting. That effort has included the preparation, review and production to Rust Consulting of over two hundred twenty (220) separate files, in various media and formats, for use in preparing the notice and claim form for mailing to the Class. Based on conversations between the undersigned and Rust Consulting, Rust Consulting believes it will be prepared to mail the notice and claim form in the manner directed by the Court no later than Tuesday, November 2, 2010.

The parties jointly and herein request that the Court modify its September 13, 2010 Order to grant the one week extension for Rust Consulting requested herein. The Court’s approval of the parties’ instant application will not affect other deadlines in the September 13, 2010 Order, insofar as the deadline for claims, objections and opt-outs is sixty (60) calendar days after initial mailing of the

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notice and claim form, and the Final Approval Hearing has been set for January 6, 2011. Counsel for the parties can be available for a telephone conference at the Court's convenience should the Court desire to discuss their application made in this letter.

Respectfully yours,

/s/

Joseph S. Tusa

cc: Counsel of Record (By ECF Filing)